IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5063 of 2005

Between:

Majestic Sports & Cultural Association, D.No. 3-5-1060/5, 1st and 2nd Floors, Narayanguda, Hyderabad, rep. by its President K. Bhupendra S/o Bhadrappa, Aged 40 years, R/o Gowliguda, Hyderabad.

..... PETITIONER

AND

1 The Commissioner of Police, Hyderabad City Police, Hyderabad.
2 The Deputy Commissioner of Police, Central Zone, Hyderabad.
3 The Additional Deputy Commissioner of Police, Task Force, Central Zone, Begumpet, Hyderabad.
4 The Assistant Commissioner of Police, Abids, Hyderabad.
5 The Station House Officer, Narayanguda Police Station, Hyderabad.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of Writ of mandamus declaring the action of the respondents herein in insisting for the license of the petitioner association u/s 21 (f) (i) of The Hyderabad City Police Act, 1348 Fasli illegal, arbitrary, discriminatory and in violation of the provisions of "The Hyderabad City Police Act, 1348 F and consequently direct the respondents herein not to insist the petitioner association for the license u/s 21 (f) (i) of Hyderabad City Police Act, 1348 F and pass such other order or orders as may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.T.BHEEMSEN & T.V.PRANAI KUMAR

Counsel for the Respondent No.: GP FOR HOME

The Court at the stage of admission made the following :

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ORDER:.

Heard both sides and at their request this case is taken up for disposal at the stage of admission.

This Writ Petition is filed seeking to declare the action of the respondents herein, in insisting for the licence of the petitioner association under Section 21(f)(i) of the Hyderabad City Police Act, 1348 Fasli, as illegal, arbitrary.

This issue is no longer res integra. In fact, this issue had fallen for consideration before more than two learned Judges of this court. This court by an order dated 21.10.1997 in Writ Petition No. 26983 of 1997 held that the respondents are not entitled to insist and compel the petitioner-association to obtain the licence under Section 21(f)(i) of the Act. Further it was held that none of the respondents herein is neither entitled nor authorized to compel the petitioner-association to close down their respective association for the reason of not obtaining licence under section 21(f)(i) of the Act.

Following the same, this Writ Petition is also allowed directing the respondents not to insist and compel the petitioner association to obtain the licence

under Section 21(f)(i) of the Act. No costs.

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D.S.R. VARMA, J

DATED: 17.03.2005

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Note: Furnish copy in two days.

To

1 The Commissioner of Police, Hyderabad City Police, Hyderabad.
2 The Deputy Commissioner of Police, Central Zone, Hyderabad.
3 The Additional Deputy Commissioner of Police, Task Force, Central Zone, Begumpet, Hyderabad.
4 The Assistant Commissioner of Police, Abids, Hyderabad.
5 The Station House Officer, Narayanguda Police Station, Hyderabad.

6. 2 CCs to G.P. for Home, High Court of A.P., Hyderabad (OUT)

7. 2 CD Copies.